



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

शिमला, शनिवार, 28 दिसम्बर, 2002/7 पौष, 1924

हिमाचल प्रदेश सरकार

HIMACHAL PRADESH VIDHAN SABHA SECRETARIAT

NOTIFICATION

Shimla-171004, the 28th December, 2002

No. 6-13/92-VS.—In exercise of the powers conferred under Rule-27 of the Himachal Pradesh Vidhan Sabha Secretariat (Recruitment & Conditions of Service) Rules-1974, framed & notified under Article-187(3) of the Constitution of India by the Governor, Himachal Pradesh, the Speaker, Himachal Pradesh Vidhan Sabha Secretariat is pleased to make the following Regulations:—

These Regulations may be called the “Himachal Pradesh Vidhan Sabha Secretariat Regulations, 2002” and shall come into force at once.

1. *Definitions.*—In these Regulations, unless the context otherwise requires:—

- (a) “*Budget Estimates*” means the Annual Financial Statement of Himachal Pradesh Vidhan Sabha under Demand No. 1 of Demand for Grants;
- (b) “*Consultation*” means the consultation as provided in the Rules of Himachal Pradesh Vidhan Sabha Secretariat (Recruitment & Conditions of Service) Rules, 1974, with the Department of Finance and does not mean concurrence;

- (c) "*Department of Finance*" means the Department of Finance of the Himachal Pradesh Government;
- (d) "*Deputation*" means the Temporary transfer or loan of the services of an Officer from the Secretariat to any office outside the Secretariat or *vice-versa*;
- (e) "*Government*" means the State Government of Himachal Pradesh;
- (f) "*Post*" means a post in the Secretariat and a post shall be deemed to be a post in Class-I, Class-II, Class-III, or Class-IV, according as such post is specified in Class-I, Class-II, Class-III or Class-IV as the case may be, in the First Schedule of the Rules;
- (g) "*Rules*" means the Himachal Pradesh Vidhan Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1974;
- (h) "*Secretary*" means the Secretary of the Himachal Pradesh Vidhan Sabha;
- (i) "*Secretariat*" means the Secretariat of the Himachal Pradesh Vidhan Sabha;
- (j) "*Speaker*" means the Speaker of the Himachal Pradesh Vidhan Sabha.

2. *Method of Creation of Posts.*—The cases for creation of new posts shall be initiated by the Secretary, and after approval of the Speaker shall be referred to the Department of Finance. In case there is difference of opinion between the Department of Finance and the Vidhan Sabha Secretariat, the matter shall be brought to the notice of the Speaker and he may further hold consultation with Hon'ble Minister of Finance and thereafter the decision arrived at in the matter shall be final.

3. *Administration and Financial Powers of the Secretary:—*

- (i) The Secretary shall exercise all the powers of the Secretary to the Government, both administrative and financial, that have been or may hereinafter be notified by the State Government for the Secretary to the Government from time to time or such powers as may be delegated to him by the Speaker from time to time under the Rules.
- (ii) All cases of administrative and financial powers beyond the competency of the Secretary shall be put up to the Speaker for his approval. All such administrative and financial sanctions shall be issued in the name of the Speaker by the Secretary.

4. *Authentication of orders passed by the Speaker.*—All orders passed by the Speaker under the provisions of the Rules and Regulations or executed in the name of the Speaker, shall be authenticated by the Secretary.

5. *Administration, Control and Discipline:—*

- (i) Subject to the overall superintendence and control of the Speaker, the Secretary shall administer the Secretariat and shall exercise full control over the Secretariat;
- (ii) The Secretariat shall function as per its Office Manual.

6. *Deputation.*—Subject to the condition of Rule-12 of the Rule *ibid*, the services to Vidhan Sabha Secretariat on deputation and *vice-versa* shall be made by the Speaker.

7. *Orders issued by Government.*—The executive and financial orders issued by the Government from time to time shall not automatically apply to the Himachal Pradesh Vidhan Sabha Secretariat but these may be made applicable after and approval of the Speaker.

8. *Applicability of various Service and Financial Rules.*—Until the Himachal Pradesh Vidhan Sabha Secretariat frames its own set of Rules, CCS (Conduct) Rules 1964, CCS (CCA) Rules 1965, CCS (Leave) Rules 1972, CCS (Pension) Rules 1972, CCS (Temporary Service) Rules, 1965, CCS (GPF) Rules. 1960, CCS (Medical Reimbursement) Rules 1944, FR/SR (Fundamental Rules/Supplementary Rules), Himachal Pradesh Civil Services (Premature Retirement) Rules 1976, Himachal Pradesh Financial Rules, 1971, Leave Travel Concession Scheme, and other Service/Financial Rules as applicable to Himachal Pradesh Government employees but not in contradiction to Vidhan Sabha Secretariat Rules, shall be applicable to employees of the Secretariat.

9. *Preparation of Budget Estimates :*

- (i) The Budget estimates in respect of all Major Heads of accounts relating to Demand No. 1 of Demand for Grants after approval of the Speaker, shall be sent to the Finance Department for incorporation in the Annual Financial Statement of the Government;
- (ii) In case there is difference of opinion between the Vidhan Sabha Secretariat and Department of Finance the matter shall be placed before a meeting between the Speaker and the Minister of Finance for appropriate decision;
- (iii) If the matter still remains unresolved, it shall be placed before a meeting of the Chief Minister, the Speaker and the Minister of Finance and decision so arrived at shall be final and binding.

10. *Really New Schemes.*—All proposals for Really New Schemes/Expenditure shall be sent by the Secretariat to the Department of Finance timely. The Department of Finance shall complete examination of all such new proposals and convey the statement of accepted items to the Secretariat in time for preparation of detailed estimates for incorporation thereof in the Annual State Budget. In case of difference of opinion, the procedure envisaged in Regulation No. 9 *supra* shall be followed.

11. *Re-appropriation of Funds.*—Re-appropriation of the Funds from one sub-head to another sub-head and from one detailed head (SOE) to another detailed head under Major Head—2011 (Non-plan) shall be made with the prior approval of Speaker and intimation thereof shall be sent to the Department of Finance:

Provided that Re-appropriation of funds between Charged and Voted expenditure, Revenue and Capital expenditure Non-plan and Plan expenditure and *vice-versa* shall be made only with the prior approval of the Department of Finance.

12. *Audit.*—The annual audit of the Secretariat shall be conducted by the Accountant General, Himachal Pradesh.

13. *Repeal and Savings :*

- (i) The Himachal Pradesh Vidhan Sabha Secretariat Regulations, 1992 published in Himachal Pradesh Rajpatra *Vide* Notification No. 6-13/92-VS dated 10 December 1992, are here by repealed;

- (ii) Notwithstanding any such repeal, any action taken or any thing done shall be deemed to have taken or done, under the corresponding provisions of these Regulations.

By order,

Sd/-
Speaker,
H. P. Vidhan Sabha.